

## Groves, Nancy (ECY)

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**From:** Groves, Nancy (ECY)  
**Sent:** Wednesday, May 29, 2013 9:31 AM  
**To:** 'meghan@washingtonwatertrust.org'  
**Cc:** Smith, Buck (ECY)  
**Subject:** FW: Big Lake ROEs  
**Attachments:** CG1-22387C\_ROEchngforPermanentTrust\_BigLakeWaterAssn.pdf;  
CG1-22388C\_ROEchngforPermanentTrust\_BigLakeWaterAssn.pdf;  
CG1-22389C\_ROEchngforPermanentTrust\_BigLakeWaterAssn.pdf

Meghan:

As per your request (via Buck), please find the 3 DRAFT ROEs pdf files for Big Lake attached...

*Nancy Groves*

Department of Ecology  
Water Resources Program  
Northwest Regional Office  
3190 160th Avenue SE  
Bellevue WA 98008  
(425) 649-7081

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**From:** Smith, Buck (ECY)  
**Sent:** Wednesday, May 29, 2013 8:57 AM  
**To:** Groves, Nancy (ECY)  
**Cc:** Meghan O'Brien  
**Subject:** RE: Big Lake ROEs

Hi Nancy,

Please email Meghan the Big Lake draft ROEs.

Thank you,  
Buck

---

**From:** Meghan O'Brien [meghan@washingtonwatertrust.org]  
**Sent:** Tuesday, May 28, 2013 2:23 PM  
**To:** Smith, Buck (ECY)  
**Subject:** Big Lake ROEs

Hello Buck,  
Could I get a copy of the Draft ROEs for Big Lake? I'm double checking the legal descriptions on the Big Lake contract, but could not find the Draft ROEs to check it against. The comment period must have expired.  
Thanks,  
Meghan

Meghan O'Brien  
Project Associate, Washington Water Trust  
[meghan@washingtonwatertrust.org](mailto:meghan@washingtonwatertrust.org)  
206.675.1585x106



## **BIG LAKE WATER SYSTEM GROUNDWATER RIGHT PERFECTION QUANTIFICATION**

Prepared by: Law Office of Thomas D. Mortimer  
Steve Harmon - Big Lake Water Association

**October 3, 2012**

Big Lake Water System holds three (3) certificated groundwater rights that qualify as for municipal water supply purposes pursuant to RCW 90.03.015(4)(a). System is comprised for 5 wells and one storage reservoir (22,000 gallon tank). Four wells are in operation.

Wells 1 & 2 Depth:	65 feet
Wells 3 & 4 Depth:	147 feet
Well 5 Depth:	90 feet

G1-22387C: Priority Date:	1/13/1975
Annual Quantity:	21 afy
Instantaneous Quantity:	13 gpm
Place of Use:	Area Served by Big Lake Water Co.

G1-22388C: Priority Date:	1/13/1975
Annual Quantity:	23 afy
Instantaneous Quantity:	14 gpm
Place of Use:	Area Served by Big Lake Water Co.

G1-22389C: Priority Date	1/13/1975
Annual Quantity:	26 afy (ROE provides that total system Qa not to exceed 70 afy).
Instantaneous Quantity:	16 gpm
Place of Use:	Area Served by Big Lake Water Co.

<b>Total System Instantaneous Quantity:</b>	<b>43 gpm (Qi)</b>
<b>Total System Annual Quantity:</b>	<b>70 afy (Qa)</b>

### **Big Lake Water Community/Water System Background Information**

Total Big Lake Subdivision Acreage – 1614 acres

Total Number of Homes historically connected to Big Lake Water System – 80 residential homes

Current number of Homes connected to Big Lake Water System – 38 - 40 residential homes

Current DOH approved Connections – 40 (Source WA DOH).

Big Lake Water System has always served more than 15 connections, therefore it is considered a municipal water system under RCW 90.030.015.

As a municipal water system, perfected water quantities are not subject to relinquishment pursuant to RCW 90.14.140(2)(d) (municipal relinquishment exception).



MWL definition RCW 90.03.015(4)(a) applies retroactively to quantities perfected by qualifying municipal supply water systems.

Water perfected through beneficial use by 80 homes is not subject to relinquishment, constitutes a vested property right, and is the basis of following calculation assumptions.

Average Big Lake Water System Home Size – **2,093 square feet** (Source –Skagit County GIS)

Average Big Lake Water System Home Lot Size - **.41 acres** (Source –Skagit County GIS)

Total Big Lake Home/Lot acres – **32.8. acres:** Calculation –  $80 \times .41 = 32.8$  acres

Total Big Lake Water System Home/Physical dwelling acreage – **3.84 acres:** Calculation ( $2,093 \text{ sq. feet} = 0.48 \text{ acres}$ ) Ergo  $.048 \times 80 = 3.84$  acres

Total Big Lake Water System Domestic/Residential Irrigation acres – **28.96 acres:** Calculation:  $32.8 \text{ acres} - 3.84 \text{ acres} = 28.96 \text{ acres}$

#### School/Farm/Store/Firehouse Quantification

- ✓ Big Lake Elementary School: Annual Quantity Use/Domestic: **3.48 afy**  
295 students, 20 staff, 9 bathrooms  
 $315 \times 20 \text{ gpd} = 6300 \text{ gpd} \times 180 \text{ days} = 1134000 \text{ gallons}/3.48 \text{ afy}$
- ✓ Big Lake Elementary School Ballpark Irrigation: Annual Quantity (3 acres) **2.8 afy**  
 $3 \text{ acres} \times 11.12' \text{ water duty} = 2.8 \text{ afy}$
- ✓ Big Lake General Store Domestic Use (Bathroom, Kitchen, Living Residence): **.67 afy**  
 $600 \text{ gpd} \times 365 = 219,000 \text{ gallons/}$
- ✓ Big Lake Firehouse (two bathrooms/Kitchen/equipment washdown): **.04 afy**  
 $4 \text{ persons} \times 10 \text{ gpd} = 40 \text{ gpd} \times 365 = 14600 \text{ gallons}$
- Farm property: 19.26 acres, 1 house – 30% of lot irrigated (gardens/lawn)  
 $30\% \times 19.26 = 5.78 \times 11.12 \text{ water duty} =$  **5.2 afy**
- Skagit County Sewer District #2: **.05 afy**

Annual Residential (in home) Domestic Consumption stated as Annual Quantity (Qa): **20.16 afy**

#### Calculated as follows:

Average Big Lake Water System Home Population – **3 residents per home**

EPA standard for domestic residential use per capita/resident – **75 gallons per day (gpd) per person**

Average day domestic use for Big Lake Water System Home: Calculation -  $3 \text{ persons} \times 75 \text{ gpd} = 225 \text{ gpd}$

Total annual domestic consumption – **20.16 acre feet (Qa) (AFY):** Calculation -  $225 \text{ gpd} \times 365 \times 80 \text{ homes} = 20.16 \text{ acre feet per year (Qa)(AFY)}$

Annual Domestic Irrigation Consumption stated as Annual Quantity (Qa): **26.00 afy**

Water Duty for lawn/turf irrigation – **11.12" per acre foot** (Source: Washington Irrigation Guide/Sedro Wooley Duty–Dept. of Ecology)

Calculation:  $28.96 \text{ acres} \times 11.12" \text{ (acre foot duty)} = 26 \text{ acre feet (AFY) (Qa)}$



Perfected Domestic Irrigation Annual Quantity: **26 afy (Qa)**

#### Annual Domestic Residential Irrigation Quantification Methodology

Using the Skagit County GIS Maps, aerial photos, and property records, Client examined existing and historical lots serviced by the Big Lake Water Association, noted the lot size as shown on the county records and visually determined the percentage of the lot being irrigated for lawn and/or garden use. Client then split the lots into three categories as shown below. I also confirmed my formula by driving past these properties.

#### **Lots on both side of Lakeview Blvd.:**

Average lot size: .41 Acre

Total lot area with (80) Homes – 32.8 acres (excludes roads) – less home footprint (3.84 acres)

-Percentage of lot being irrigated at 30% lot coverage: 20%:	20% x 28.96 = 5.792 acres
-Percentage of lot being irrigated at 50% lot coverage: 50%:	50% x 28.96 = 14.48 acres
-Percentage of lot being irrigated at 75% lot coverage: 30%:	<b><u>30% x 28.96 = 8.68 acres</u></b>

**TOTAL                      28.95 acres x .11.12' = 26 afy**

#### Total Annual Quantity Perfected

Annual Domestic Residential Consumption:	20.16 afy
Annual Domestic Irrigation Consumption:	26.00 afy
Big Lake School Domestic:	3.48 afy
Big Lake School Ballpark Irrigation	2.8 afy
Big Lake Grocery Store:	<b>.67 afy</b>
Big Lake Firehouse:	<b>.04 afy</b>
Skagit County Sewer District #2	<b>.05 afy</b>
<u>Big Lake Farm property:</u>	<b><u>5.2 afy</u></b>

**TOTAL QA PERFECTED                      58.4 afy**

#### GPD Estimate – Domestic Residential and Irrigation

<b>Domestic Residential GPD –</b>	<b>225 gpd</b>
<b><u>Domestic Irrigation GPD -</u></b>	<b><u>305 gpd</u></b>

**TOTAL System USE - GPD                      530 GPD**







**STATE OF  
WASHINGTON  
DEPARTMENT OF  
ECOLOGY**

**NOTICE OF APPLICATIONS  
TO CHANGE EXISTING  
WATER RIGHTS**

**TAKE NOTICE:**

That Big Lake Water Association of Mount Vernon, Washington on October 9, 2012, filed applications of change to place the following three ground water certificates into the State of Washington Water Right Trust Program. The authorized points of withdrawal for all three certificates are within the SE ¼ SW ¼ of Section 25, Township 34 North, Range 4 East, in Skagit County. All have a priority date of January 13, 1975. All have a place of use of the Area served by Big Lake Water Company. All are currently for municipal supply purposes.

1. Ground Water Certificate G1-22387C for 13 gallons per minute (gpm), 21 acre-feet per year (afy), from well 1.
2. Ground Water Certificate G1-22388C for 14 gpm, 23 afy, from well 3.
3. Ground Water Certificate G1-22389C for 16 gpm, 26 afy, from wells 4 & 5.

The subject request is to change the purpose of use of each certificate to serve as a source for Nookachamps Sub-basin Mitigation Exchange: Instream Flow Augmentation and/or Aquifer Preservation.

No increases will be made to the instantaneous withdrawal rates or annual quantities.

Protests or objections to approval of this application must include a detailed statement of the basis for objections: protests must be accompanied with a fifty-dollar (\$50.00) NON-REFUNDABLE recording fee (PLEASE REMIT CHECK OR MONEY OR-

DER ONLY) and filed with the Department of Ecology at the address shown below, within thirty (30) days from October 26, 2012.

DEPARTMENT OF ECOLOGY  
CASHIERING OFFICE -  
NWRO-WR  
PO BOX 47611  
OLYMPIA, WA 98504-7611

**Published  
October 19 & 26, 2012  
SVH-772385**

*app'd OK*

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1215 Anderson Road • P.O. Box 578 • Mount Vernon • WA • 98273 • t: 360.424.3251 • f: 360.424.5300

Heather Hernandez, Publisher

**Affidavit of Publication in the matter of SVH-772385**

*In the Superior Court of the State of  
Washington In and For Skagit County*

STATE OF WASHINGTON  
County of Skagit ss

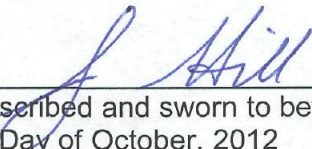
The undersigned, being first duly sworn on oath deposes that he/she is principal clerk of the Skagit Valley Herald, a daily newspaper. That said newspaper has been approved as a legal newspaper by the Superior Court of Skagit County and is now and has been for more than six months prior to the publication hereinafter referred to, published in the English language continually as a daily newspaper in Skagit County, Washington, and it is now and during all of said time was printed at an office maintained at the aforesaid place of publication of said newspaper.

That the annexed is a true copy of an advertisement, with publication dates, as it was published in regular issues (and not in supplemental form) of said newspaper commencing with the issue of October 19, 2012 and ending with the issue of October 26, 2012.

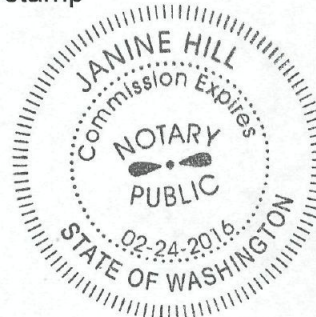
That such newspaper was regularly distributed to its subscribers during all of said period and the full amount of the fee charged for the foregoing is the sum of \$330.00.

  
\_\_\_\_\_  
clerk

Date: October 26, 2012

  
\_\_\_\_\_  
Subscribed and sworn to before me this  
26<sup>th</sup> Day of October, 2012

Notary Public and for the State of Washington  
Clerk's filing stamp



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**Melody Howard**

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**Subject:** FW: Notice of Applications to Change existing water rights



WSD of Ecology.pdf

-----Original Message-----

From: Melody Howard [mailto:melody@primewest.com]  
Sent: Tuesday, October 16, 2012 11:47 AM  
To: classified@skagitpublishing.com  
Cc: Steve Harmon  
Subject: Notice of Applications to Change existing water rights

Jeanette, 360-424,4567

Thank you for your assistance.

Please find attached the document we discussed to be published in the Skagit Valley Herald to be run once a week for two consecutive weeks. Also, our instructions include that we draw to the publisher's attention that the actual date of the second publication must appear in the space in the notice over the caption "last date of publication."

Contact Person: For proof approval, please email Steve Harmon at sharmon@primewest.com.

Steve Harmon  
360-840-0078  
P.O. Box 2609  
Mount Vernon, Wa. 98273

If you have any questions, please feel free to contact me, Melody at 360-424-5783 or Steve Harmon, 360-840-0078.

Thank you again.

Melody Howard  
Administrative Assistant  
Prime West, Inc.  
360-424-5783  
melody@primewest.com

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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

NOTICE OF APPLICATIONS TO CHANGE EXISTING WATER RIGHTS

**TAKE NOTICE:**

That Big Lake Water Association of Mount Vernon, Washington on October 9, 2012, filed applications of change to place the following three ground water certificates into the State of Washington Water Right Trust Program. The authorized points of withdrawal for all three certificates are within the SE1/4 SW1/4 of Section 25, Township 34 North, Range 4 East, in Skagit County. All have a priority date of January 13, 1975. All have a place of use of the Area served by Big Lake Water Company. All are currently for municipal supply purposes.

1. Ground Water Certificate G1-22387C for 13 gallons per minute (gpm), 21 acre-feet per year (afy), from well 1.
2. Ground Water Certificate G1-22388C for 14 gpm, 23 afy, from well 3.
3. Ground Water Certificate G1-22389C for 16 gpm, 26 afy, from wells 4 & 5.

The subject request is to change the purpose of use of each certificate to serve as a source for Nookachamps Sub-basin Mitigation Exchange: Instream Flow Augmentation and/or Aquifer Preservation.

**No increases will be made to the instantaneous withdrawal rates or annual quantities.**

***Protests or objections to approval of this application must include a detailed statement of the basis for objections: protests must be accompanied with a fifty-dollar (\$50.00) NON-REFUNDABLE recording fee (PLEASE REMIT CHECK OR MONEY ORDER ONLY) and filed with the Department of Ecology at the address shown below, within thirty (30) days from***

\_\_\_\_\_  
(Last date of publication to be entered above by publisher)

DEPARTMENT OF ECOLOGY  
CASHIERING OFFICE - NWRO-WR  
PO BOX 47611  
OLYMPIA WA 98504-7611

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### Island County

Publication	Contact	Physical Address	Mailing Address	Phone #	Fax	E-mail
Whidbey News Times, South Whidbey Record	Sally Smith or Connie Ross	107 S. Main St Suite E101 Coupeville, WA 98239	PO Box 1200 Coupeville, WA 98239	360-675-6611	360-679-2695	legal@whidbeynewstimes.com publishes in both papers
Whidbey Examiner	Kasia Pierzga or Joan Soltys	6 NW, Coveland St Coupeville, WA 98239	PO Box 445 Coupeville, WA 98239	360-678-8060	360-678-6073	graphics@whidbeyexaminer.com
Stanwood/Camano News	Sharon Bartlett	9005 271st St. NW, Stanwood, WA 98282	PO Box 999, Stanwood, WA 98282	360-629-8066 ext. 109	360-629-4211	circulation@scnews.com or phonebook@scnews.com

### Whatcom County

Publication	Contact	Physical Address	Mailing Address	Phone #	Fax	E-mail
Bellingham Herald	Jill Cratsenberg	1155 N. State Street, Suite 1, Bellingham, WA 98227	PO Box 1277, Bellingham, WA 98227	360-756-2829	360-715-2225	legals@bellinghamherald.com
Lynden Tribune	Legal Notices Dept.	113 6th Street, Lynden, WA 98264	PO Box 153, Lynden, WA 98264	360-354-4444	360-354-4445	office@lyndentribune.com
Ferndale Record	Legal Notices Dept.	2004 Main Street, Ferndale, WA 98248	PO Box 34, Ferndale, WA 98248	360-384-1411	360-384-1417	news@ferndalerecordjournal.com

### Skagit County

Publication	Contact	Physical Address	Mailing Address	Phone #	Fax	E-mail
Anacortes American, Argus, Courier-Time, Ski Valley Herald	Legal Notices Dept.	1000 E. College Way, Mt. Vernon, WA 98273	PO Box 578, Mt. Vernon, WA 98273	360-424-4567	360-424-5300	classifieds@skagitpublishing.com
LaConner News (formerly Channel Town Press)	Cindy Vest	313 Morris St. Suite B LaConner, WA	PO Box 1465, LaConner, WA 98257	360-466-3315	360-466-1195	Specify which paper to publish in. ctp3@verizon.net

### San Juan County

Publication	Contact	Physical Address	Mailing Address	Phone #	Fax	E-mail
Islands' Sounder	Kathy Everett	North Beach Rd, Eastsound, WA 98245	PO Box 758, Eastsound, WA 98245	360-376-4500	360-376-4501	keverett@islandssounder.com
Journal of the San Juans	Frances Bacon	640 Mullis Street, Friday Harbor WA 98250	PO Box 519, Friday Harbor WA 98250	360-378-5696	360-378-4103	fbacon@sanjuanjournal.com

**\*Note - Most publishers prefer e-mail**

Y:\regional newspapers north counties (updated Sept. 2008)



**Melody Howard**

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**Subject:** FW: Notice of Big Lake Trust Applications to Skagit Valley Herold

-----Original Message-----

**From:** Steve Harmon [mailto:sharmon@primewest.com]

**Sent:** Tuesday, October 16, 2012 8:51 AM

**To:** Melody Howard

**Subject:** Notice of Big Lake Trust Applications to Skagit Valley Herold

Hi Mel,

Per the following and attached, can you please Skagit Valley Herald to publish the attached notice for the B.L.W.A.? The billing for the notice can be sent to:  
Big Lake Water Association  
P.O. Box 2246  
Mount Vernon, WA 98273

Note: When the publication period is completed, we need to get the affidavit of publication from the newspaper. I will then send that affidavit to the B.L.W.A. attorney and DOE.

Thanks,  
Steve H.

----- Original Message -----

**From:** Thomas Mortimer

**To:** 'Steve Harmon'

**Cc:** 'Jim Hanson'

**Sent:** Tuesday, October 16, 2012 8:22 AM

**Subject:** FW: Big Lake Trust Applications

Steve,

Please find final notice of publication attached and newspaper list. I have reviewed it and it is fine. I assume the Skagit Valley Herald will suffice. Instructions for publication are provided in email below. Please proceed as soon as you can. The Notice is being provided by DOE to tribes and other basin stakeholders.

Please call if you have any questions.

Tom M

---

**From:** Klug, Jacque (ECY) [mailto:JKLU461@ECY.WA.GOV]

**Sent:** Monday, October 15, 2012 10:03 AM

**To:** mortwater@earthlink.net

**Subject:** FW: Big Lake Trust Applications

Tom,

Attached is the public notice. I will copy you on the email notice we send out to various interested parties. Let me know if you have any questions.

-Jacque

October 15, 2012

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10/16/2012



VIA Email: [mortwater@earthlink.net](mailto:mortwater@earthlink.net)

**Re: Ground Water Application for Change Certificates Nos. CG1-22387C, CG1-23388C, CG1-23889C**

Mr. Mortimer:

Enclosed is a notice of your application for change which must be published **once a week for two consecutive weeks** in a qualified legal newspaper of general circulation in **Skagit** County as provided in RCW 90.03.280. This newspaper should have a general circulation in the locality where the water is to be appropriated and used. A list of newspapers in the area is enclosed.

Please draw to the publisher's attention that the actual date of the **second** publication must appear in the space in the notice over the caption "last date of publication."

**The applicant is responsible for the payment of the publication.** To assure accuracy, **it is the responsibility of the applicant to check the notice carefully before having it published.** If an error is detected, do not submit the notice for publication, but refer the error to this office for correction and/or resolution.

Please provide us with the **Original notarized affidavit** of each publication. Publication should start within thirty (30) days and the affidavit must be received in this office within sixty (60) days from the date of this letter or rejection will be initiated.

Attachments: Public Notice  
Regional Newspaper List

---

**From:** Klug, Jacque (ECY)  
**Sent:** Wednesday, October 10, 2012 10:18 AM  
**To:** Curtis, Michele (ECY)  
**Subject:** FW: Big Lake Trust Applications

Revised public notice for Big Lake.

---

**From:** mortwater [<mailto:mortwater@earthlink.net>]  
**Sent:** Thursday, October 04, 2012 1:36 PM  
**To:** Klug, Jacque (ECY)  
**Cc:** 'Steve Harmon'  
**Subject:** RE: Big Lake Trust Applications

Hi Jacque,

I have made a small edit to the notice per Wells 4 & 5 ( vs wells 3 and 4) for GWC 22389C. BLWA has 4 wells, (original) Well 2 is apparently off-line- but Well 5 is on line. Steve is not exactly certain which wells relate to which rights, so I examined the water right documents and queried more current operational history. What is stated on the application is our best sense of how the well numbers used by BLWA correlate to the water rights.

On a related matter, can the application date in the notice be the date (10/3) I electronically provided

10/16/2012

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all the applications and supporting documents, or do you really require the signed hard copy?

I suppose we need to do one more draft before we go final just to clarify the well numbers.

Please call if you need to discuss.

Best regards,

Tom M

Law Office of Thomas D. Mortimer  
206-447-9036

This e-mail is intended only for the use of the individual or entity to whom it is addressed and may contain confidential, privileged information. If the reader of this e-mail is not the addressee, please be advised that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you receive this communication in error, please call (206) 447-9036 and return this e-mail to Law Office of Thomas D. Mortimer at the above e-mail address and delete from your files. Thank You.

**From:** Klug, Jacque (ECY) [<mailto:JKLU461@ECY.WA.GOV>]

**Sent:** Thursday, October 04, 2012 9:15 AM

**To:** [mortwater@earthlink.net](mailto:mortwater@earthlink.net)

**Subject:** FW: Big Lake Trust Applications

Tom,

Attached is the draft public notice for the Big Lake Trust Water Right applications. Let us know if you see anything that needs to be amended. You can send the applications directly to the Northwest Regional Office as there is no fee that needs to be recorded in our Olympia office.

-Jacque

Jacqueline Klug | Section Manager, Water Resources Program | Department of Ecology Northwest Regional Office | 425-649-7270 | [jacque.klug@ecy.wa.gov](mailto:jacque.klug@ecy.wa.gov)



Please consider the environment before printing this e-mail

**From:** [mortwater](mailto:mortwater@earthlink.net) [<mailto:mortwater@earthlink.net>]

**Sent:** Wednesday, October 03, 2012 1:09 PM

**To:** Bellon, Maia (ECY); Klug, Jacque (ECY)

**Subject:** RE: Big Lake Trust Applications

Maia/Jacque,

FYI.

Tom Mortimer  
Attorney at Law

Law Office of Thomas D. Mortimer  
206-447-9036

This e-mail is intended only for the use of the individual or entity to whom it is addressed and may contain confidential, privileged information. If the reader of this e-mail is not the addressee, please be advised that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you receive this communication in error, please call (206) 447-9036 and return this e-mail to Law Office of Thomas D. Mortimer at the above e-mail address and delete from your files. Thank You.

**From:** [mortwater](mailto:mortwater@earthlink.net) [<mailto:mortwater@earthlink.net>]

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10/16/2012



**Sent:** Wednesday, October 03, 2012 1:06 PM  
**To:** 'Buck.Smith@ecy.wa.gov'; 'Barwin, Robert F. (ECY)'  
**Cc:** 'Erik Borgen'; 'Steve Harmon'; 'Jim Hanson'  
**Subject:** Big Lake Trust Applications

Dear Buck/Bob et al:

Please find attached in PDF form, the complete and signed Big Lake Water Assn (BLWA) Trust applications with related support documentation which includes:

- Updated quantification
- BLWA Membership/Connections list (and related explanatory memo)
- BLWA Power Bills
- Skagit County Sewer District PUD Water Bills (Used for beneficial use extrapolation purposes).
- Declaration of Ken Hoffman

I realize that most of these documents may be in your possession, but we want the record to show that BLWA provided a complete single submission of all salient documents. Steve will very shortly submit the signed original applications by mail when he returns from a brief trip out of town. Hard copies of all the above attachments may be provided upon your request.

BLWA sources are not metered and they have not generated a small water system management plan to my knowledge. I have included the service area map mark-up up to show additional connections not included in the prior quantification. Sorry it is not in color.

We look forward to DOE staff producing a draft Notice of Application that we may review, and then approve for timely publication. If you have any questions, please contact me or Steve Harmon.

Best regards,

Tom Mortimer  
Attorney at Law

Law Office of Thomas D. Mortimer  
206-447-9036

This e-mail is intended only for the use of the individual or entity to whom it is addressed and may contain confidential, privileged information. If the reader of this e-mail is not the addressee, please be advised that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you receive this communication in error, please call (206) 447-9036 and return this e-mail to Law Office of Thomas D. Mortimer at the above e-mail address and delete from your files. Thank You.

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**Curtis, Michele (ECY)**

---

**From:** Klug, Jacque (ECY)  
**Sent:** Tuesday, October 16, 2012 1:55 PM  
**To:** Curtis, Michele (ECY)  
**Subject:** FW: Big Lake Trust Applications  
**Attachments:** CG1-22387C\_CG1- 23388C\_CG1-23389C\_Big Lake Water Association\_Public Notice for Change App\_10-3-12 (Buck's edits).docx; Regional Newspapers north counties.xls

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**From:** Klug, Jacque (ECY)  
**Sent:** Monday, October 15, 2012 10:03 AM  
**To:** 'mortwater@earthlink.net'  
**Subject:** FW: Big Lake Trust Applications

Tom,

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-Jacque

October 15, 2012

**VIA Email:** [mortwater@earthlink.net](mailto:mortwater@earthlink.net)

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Enclosed is a notice of your application for change which must be published **once a week for two consecutive weeks** in a qualified legal newspaper of general circulation in **Skagit** County as provided in RCW 90.03.280. This newspaper should have a general circulation in the locality where the water is to be appropriated and used. A list of newspapers in the area is enclosed.

Please draw to the publisher's attention that the actual date of the **second** publication must appear in the space in the notice over the caption "last date of publication."

**The applicant is responsible for the payment of the publication.** To assure accuracy, **it is the responsibility of the applicant to check the notice carefully before having it published.** If an error is detected, do not submit the notice for publication, but refer the error to this office for correction and/or resolution.

Please provide us with the **Original notarized affidavit** of each publication. Publication should start within thirty (30) days and the affidavit must be received in this office within sixty (60) days from the date of this letter or rejection will be initiated.

Attachments: Public Notice  
Regional Newspaper List



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**From:** Klug, Jacque (ECY)  
**Sent:** Wednesday, October 10, 2012 10:18 AM  
**To:** Curtis, Michele (ECY)  
**Subject:** FW: Big Lake Trust Applications

Revised public notice for Big Lake.

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**From:** mortwater [<mailto:mortwater@earthlink.net>]  
**Sent:** Thursday, October 04, 2012 1:36 PM  
**To:** Klug, Jacque (ECY)  
**Cc:** 'Steve Harmon'  
**Subject:** RE: Big Lake Trust Applications

Hi Jacque,

I have made a small edit to the notice per Wells 4 & 5 ( vs wells 3 and 4) for GWC 22389C. BLWA has 4 wells, (original) Well 2 is apparently off-line- but Well 5 is on line. Steve is not exactly certain which wells relate to which rights, so I examined the water right documents and queried more current operational history. What is stated on the application is our best sense of how the well numbers used by BLWA correlate to the water rights.

On a related matter, can the application date in the notice be the date (10/3) I electronically provided all the applications and supporting documents, or do you really require the signed hard copy?

I suppose we need to do one more draft before we go final just to clarify the well numbers.

Please call if you need to discuss.

Best regards,

Tom M

Law Office of Thomas D. Mortimer  
206-447-9036

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**From:** Klug, Jacque (ECY) [<mailto:JKLU461@ECY.WA.GOV>]  
**Sent:** Thursday, October 04, 2012 9:15 AM  
**To:** [mortwater@earthlink.net](mailto:mortwater@earthlink.net)  
**Subject:** FW: Big Lake Trust Applications

Tom,

Attached is the draft public notice for the Big Lake Trust Water Right applications. Let us know if you see anything that needs to be amended. You can send the applications directly to the Northwest Regional Office as there is no fee that needs to be recorded in our Olympia office.



-Jacque

Jacqueline Klug | Section Manager, Water Resources Program | Department of Ecology Northwest Regional Office | 425-649-7270 | [jacque.klug@ecy.wa.gov](mailto:jacque.klug@ecy.wa.gov)



Please consider the environment before printing this e-mail

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**From:** mortwater [<mailto:mortwater@earthlink.net>]  
**Sent:** Wednesday, October 03, 2012 1:09 PM  
**To:** Bellon, Maia (ECY); Klug, Jacque (ECY)  
**Subject:** RE: Big Lake Trust Applications

Maia/Jacque,

FYI.

Tom Mortimer  
Attorney at Law

Law Office of Thomas D. Mortimer  
206-447-9036

This e-mail is intended only for the use of the individual or entity to whom it is addressed and may contain confidential, privileged information. If the reader of this e-mail is not the addressee, please be advised that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you receive this communication in error, please call (206) 447-9036 and return this e-mail to Law Office of Thomas D. Mortimer at the above e-mail address and delete from your files. Thank You.

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**From:** mortwater [<mailto:mortwater@earthlink.net>]  
**Sent:** Wednesday, October 03, 2012 1:06 PM  
**To:** 'Buck.Smith@ecy.wa.gov'; 'Barwin, Robert F. (ECY)'  
**Cc:** 'Erik Borgen'; 'Steve Harmon'; 'Jim Hanson'  
**Subject:** Big Lake Trust Applications

Dear Buck/Bob et al:

Please find attached in PDF form, the complete and signed Big Lake Water Assn (BLWA) Trust applications with related support documentation which includes:

- Updated quantification
- BLWA Membership/Connections list (and related explanatory memo)
- BLWA Power Bills
- Skagit County Sewer District PUD Water Bills (Used for beneficial use extrapolation purposes).
- Declaration of Ken Hoffman

I realize that most of these documents may be in your possession, but we want the record to show that BLWA provided a complete single submission of all salient documents. Steve will very shortly submit the signed original applications by mail when he returns from a brief trip out of town. Hard copies of all the above attachments may be provided upon your request.



BLWA sources are not metered and they have not generated a small water system management plan to my knowledge. I have included the service area map mark-up up to show additional connections not included in the prior quantification. Sorry it is not in color.

We look forward to DOE staff producing a draft Notice of Application that we may review, and then approve for timely publication. If you have any questions, please contact me or Steve Harmon.

Best regards,

Tom Mortimer  
Attorney at Law

Law Office of Thomas D. Mortimer  
206-447-9036

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### Island County

Publication	Contact	Physical Address	Mailing Address	Phone #	Fax	E-mail
Whidbey News Times, South Whidbey Record	Sally Smith or Connie Ross	107 S. Main St Suite E101 Coupeville, WA 98239	PO Box 1200 Coupeville, WA 98239	360-675- 6611	360-679-2695	legal@whidbeynewstimes.com publishes in both papers
Whidbey Examiner	Kasia Pierzga or Joan Soltys	6 NW, Coveland St Coupeville, WA 98239	PO Box 445 Coupeville, WA 98239	360-678- 8060	360-678-6073	graphics@whidbeyexaminer.com
Stanwood/Camano News	Sharon Bartlett	9005 271st St. NW, Stanwood, WA 98282	PO Box 999, Stanwood, WA 98282	360-629- 8066 ext. 109	360-629-4211	circulation@scnews.com or phonebook@scnews.com

### Whatcom County

Publication	Contact	Physical Address	Mailing Address	Phone #	Fax	E-mail
Bellingham Herald	Jill Cratsenberg	1155 N. State Street, Suite 1, Bellingham, WA 98227	PO Box 1277, Bellingham, WA 98227	360-756- 2829	360-715-2225	legals@bellinghamherald.com
Lynden Tribune	Legal Notices Dept.	113 6th Street, Lynden, WA 98264	PO Box 153, Lynden, WA 98264	360-354- 4444	360-354-4445	office@lyndentribune.com
Ferndale Record	Legal Notices Dept.	2004 Main Street, Ferndale, WA 98248	PO Box 34, Ferndale, WA 98248	360-384- 1411	360-384-1417	news@ferndalerecordjournal.com

### Skagit County

Publication	Contact	Physical Address	Mailing Address	Phone #	Fax	E-mail
Anacortes American, Argus, Courier-Time, Skagit Valley Herald	Legal Notices Dept.	1000 E. College Way, Mt. Vernon, WA 98273	PO Box 578, Mt. Vernon, WA 98273	360-424- 4567	360-424-5300	classifieds@skagitpublishing.com
LaConner News (formerly Channel Town Press)	Cindy Vest	313 Morris St. Suite B LaConner, WA	PO Box 1465, LaConner, WA 98257	360-466- 3315	360-466-1195	Specify which paper to publish in. ctp3@verizon.net

### San Juan County

Publication	Contact	Physical Address	Mailing Address	Phone #	Fax	E-mail
Islands' Sounder	Kathy Everett	North Beach Rd, Eastsound, WA 98245	PO Box 758, Eastsound, WA 98245	360-376- 4500	360-376-4501	keverett@islandssounder.com
Journal of the San Juans	Frances Bacon	640 Mullis Street, Friday Harbor WA 98250	PO Box 519, Friday Harbor WA 98250	360-378- 5696	360-378-4103	fbacon@sanjuanjournal.com

**\*Note - Most publishers prefer e-mail**

Y:\regional newspapers north counties (updated Sept. 2008)